IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 37637 of 2003(E)

PETITIONER:

P.V.HABEEBUL RAHIMAN, PUMP OPERATOR,
K.R.B.SECTION NO.1, IRRIGATION DEPARTMENT,
VAZHAKKAD P.O. MALAPPURAM DISTRICT.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)

RESPONDENTS:

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1. THE STATE OF KERALA REP. BY THE
CHIEF SECRETARY, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
IRRIGATION DEPARTMENT, THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION, MALAPPURAM.

4. THE ASSISTANT EXECUTIVE ENGINEER,
IRRIGATION DEPARTMENT, K.R.B.SUB DIVISION,
VAZHAKKAD, PARAPPANANGADI, MALAPPURAM.

5. THE ASSISTANT ENGINEER,
K.R.B.SECTION NO.1, IRRIGATION DEPARTMENT,
VAZHAKKAD, PARAPPANANGADI, MALAPPURAM.

BY GOVT.PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE COPY OF THE ORDER OFO THE 5TH RESPONDENT BEARING NO.I Mi/93 DATED 27-8-1992

EXT.P2. TRUE COPY OF THE G.O.NO.1484/99/FIN. DATED 17-6-1999.

EXT.P3. TRUE COPY OF THE JUDGMENT IN O.P.NO.5711/200-E OF THE HON'BLE HIGH COURT OF KERALA DATED 7-6-2000

EXT.P4. TRUE COPY OF THE ORDER OF THE HON'BLE HIGH COURT OF KERALA IN O.P.NO.513/1996-J IN CMP NO.34306/96 DATED 17-1-1997

EXT.P5. TRUE COPY OF THE LETTER OF THE 3RD RESPONDENT TO THE 4TH RESPONDENT BEARING NO.E3-1088/97 DATED 5-11-1999

EXT.P6. TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT DATED 30-9-1993

EXT.P7. TRUE COPY OF THE LETTER ISSUED BY THE 5TH RESPONDENT TO THE 4TH RESPONDENT NO.TMI/ECH/2500-01 DATED 6-7-2002

/ TRUE COPY /

KURIAN JOSEPH, J.

W.P(C)No.37637 of 2003

Dated this the 17th day of January, 2007

JUDGMENT

The writ petition is filed with the following prayers:-

> i) issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to grant the petitioner's pay scale attached to the post of Pump Operators from the date of his regular absorption in service.
>
> ii) issue a writ of mandamus or any other appropriate writ order or direction, directing the respondents to give the pay scale of Rs.3050-5230 instead of Rs.2650-4150 in respect of the petitioner from the date of 1998 Pay Revision Order.

Petitioner prays for an opportunity to move the Government. In the event of the petitioner thus approaching the Government, the matter will be duly examined by the Government with notice and opportunity for hearing to the first three petitioners and appropriate orders in accordance with law thereon will be passed within another four months.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.